

# EXHIBIT D

Jimmy W. Mays, Ph.D.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

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IN RE: BOSTON SCIENTIFIC CORP., § MDL NO. 2326  
PELVIC REPAIR SYSTEM PRODUCTS §  
LIABILITY LITIGATION §

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THIS DOCUMENT RELATES TO: §  
§  
ALL WAVE 4 CASES IN MDL NO. 2326 §  
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- - -  
Thursday, August 16, 2018  
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Videotaped deposition of JIMMY W. MAYS, Ph.D.,  
held at the JW Marriott Marco Island Beach  
Resort, 400 South Collier Boulevard, Marco  
Island, Florida, commencing at 9:08 a.m., on the  
above date, before Susan D. Wasilewski,  
Registered Professional Reporter, Certified  
Realtime Reporter, Certified Realtime Captioner,  
Certified Manager of Reporting Services, Florida  
Professional Reporter, Certified Court Reporter  
(New Jersey), and Realtime Systems Administrator

- - -  
GOLKOW LITIGATION SERVICES  
877.370.3377 ph | 917.591.5672 fax  
deps@golkow.com

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1 materials are used for permanent implantation, but I  
2 can't completely rule it out. I simply don't know,  
3 but I don't think so.

4 Q. In the materials you were developing or  
5 testing, were they used for a short-term, long-term,  
6 permanent implant?

7 A. They were not used as implants. These were  
8 elastomeric materials that are being used as such,  
9 elastomers, rubbery materials.

10 Q. Rubberly materials?

11 A. Yes.

12 Q. I wanted to turn now to page 21 of your 2008  
13 expert report.

14 A. Okay.

15 Q. And specifically I want to -- so the first  
16 full paragraph which is -- starts with "My research  
17 group carried out a study..."

18 A. Yes.

19 Q. And this study -- I'll hand it to you, it's  
20 been marked as Exhibit 6.

21 (Mays Exhibit 6 was marked for  
22 identification.)

23 BY MS. STEELE:

24 Q. And is that a copy of the published study?

25 A. Yes, it is. This is the published paper.

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1 This does not include the supplementary data, which  
2 is substantial with this, but yes, this is the main  
3 paper.

4 Q. And we previously discussed the details of  
5 this testing and this article in detail in a prior  
6 deposition; is that right?

7 A. Yes, we did.

8 Q. And the testing that's encompassed within  
9 the article with lead author Imel entitled "In vivo  
10 oxidative degradation of polypropylene pelvic mesh,"  
11 and with you -- are you the corresponding author, is  
12 that --

13 A. Yes, and -- yeah, I was a corresponding  
14 author on this.

15 Q. And so the testing contained within this  
16 article is testing that was completed for the  
17 purposes of litigation in the Boston Scientific  
18 pelvic mesh litigation, correct?

19 A. Well, this contains the characterization  
20 work that was done at the University of Tennessee,  
21 and also work that was done by Sam Gido in this  
22 case. You know, we weren't asked by attorneys to do  
23 any particular test. We were given materials that  
24 were explants. I was aware of Clave's paper saying  
25 polypropylene is not inert in the human body. So I,

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1 in collaboration with Dr. Gido, outlined a series of  
2 experiments that we thought would test what the  
3 actual cause of degradation is.

4 Q. And that testing is -- so, basically, there  
5 were two parts of the testing that you and Dr. Gido  
6 tested explanted mesh materials, correct?

7 A. Yes.

8 Q. And those test results are contained within  
9 your first report?

10 A. Yes.

11 Q. And then you conducted further  
12 characterization testing on polypropylene pellets as  
13 long as -- as well as pristine polypropylene meshes  
14 for Boston Scientific, right?

15 A. That's correct.

16 Q. And that testing is outlined in the data  
17 that is within your second expert report, is that --  
18 which is marked as Exhibit 3; is that right?

19 A. That's correct.

20 Q. And the testing that's outlined in  
21 Exhibits 2 and 3, which are your two prior expert  
22 reports, are the basis for all of the data that's  
23 contained within the Imel article, correct?

24 A. Yes, I believe they are the basis of all of  
25 the experimental data. We did have an addendum

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1     where we looked at the effect of bleach exposure on  
2     a pristine polypropylene mesh just to make sure that  
3     there is not oxidative degradation that is occurring  
4     due to the bleach, and we allude to that testing in  
5     here as well, so, yeah, maybe with that one  
6     additional experiment.

7         Q.     With the one kind of control experiment  
8     using bleach on pristine mesh, there is no  
9     additional testing that -- in the Imel article  
10    that's not contained within Exhibits 2 and 3,  
11    correct?

12        A.     I think that's correct, yes.

13        Q.     Now I want to turn to -- we'll discuss  
14    Dr. Thames' article and the responses, but first I  
15    want to talk about on page 25. On page 25 in the  
16    first paragraph --

17               (Mays Exhibit 7 was marked for  
18    identification.)

19    BY MS. STEELE:

20        Q.     I'm going to hand you Exhibit 7, which is an  
21    article with lead author Talley, and this article  
22    contains two components: First, an in vitro  
23    oxidative degradation test completed by Drs. Russell  
24    Dunn and Scott Guelcher. Is that right?

25        A.     Yes. It does contain some in vitro